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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,617	09/23/2003	Alicia Marie Russell	1033-SS00402	1505
34456	7590	01/10/2006	EXAMINER	
TOLER & LARSON & ABEL L.L.P. 5000 PLAZA ON THE LAKE STE 265 AUSTIN, TX 78746			SHEDRICK, CHARLES TERRELL	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/668,617	RUSSELL, ALICIA MARIE	
	Examiner	Art Unit	
	Charles Shedrick	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/21/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Response to Amendment******Response to Arguments***

1. Applicant's arguments with respect to claim 1-25,27-34, and 36 and 37 have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant's arguments filed 10/21/2005 have been fully considered but they are not persuasive. In response to the applicant's argument that Bosik does not disclose or suggest withdrawing the request to forward voice communication requests in response to a user action. However, Bosik clearly teaches issuing voice prompts to configure forwarding which further suggest changing or withdrawing a initially configured forwarding request. Therefore, the argued features read upon the cited references.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-7,9-15,17,20-25,27-34, and 36** are rejected under 35 U.S.C. 102(b) as being anticipated by **Holloway et al. (U.S. Pub. No.: US 2003/0092451 A1)**

Consider **claim 1**, Holloway et al., clearly show and disclose a system with a wireless beacon (i.e., a preferred phone transmitter **220**)(**figure 2**) to provide wireless data communication with a mobile telephone **230,540 (figure 5)** to detect a location of the mobile telephone within a wireless detection area provided by the wireless beacon **220 (figure 5,**

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paragraph 0019, and 0020); and a communication interface **230** (i.e., within the mobile phone)(**figure 5**) to selectively send a call forwarding message to a cellular switch **210** (i.e. within the cellular system) based on an evaluation of a value received from the wireless beacon(i.e., the ability to override the transfer of calls can be programmed into a button and thus in this regard a selection is made regarding the forwarding. Holloway et al. further discloses that when a transmitter is installed, it is programmed with the phone number of the preferred phone. This preferred phone number is then transmitted as part of its signal. Mobile phone 230 is equipped to receive signals in the frequency of the transmitter 220 and is programmed to recognize a signal that is meant for it)(i.e., see **paragraph 0017 and 0021**), the call forwarding message to provide an instruction to route future calls destined for the mobile telephone to an alternate network address (**paragraph 0017-0020**).

Consider **claim 2**, and as applied to **claim 1** above, Holloway et al., clearly show and disclose a system wherein the alternate network address is identified by a telephone number correlated with a landline connection to a landline telephone **220 (figure 2)** located in proximity to the wireless beacon **220 (figure 2)** (**paragraph 0016 and 0017**).

Consider **claim 3**, Holloway et.al., clearly show and disclose a method of selecting a destination telephone **240,540 (figure 2 and figure 5)**, the method comprising: detecting a location of a mobile phone **230 (figure 2 and figure 5)** within a wireless detection area provided by a wireless beacon **220 (abstract)** ; and selectively sending a call forwarding message to a wide area switch **410** (i.e., within MSC)(figure 4) having a communication path targeted to the mobile telephone based on an evaluation of a value received from the wireless beacon(i.e., the ability to override the transfer of calls can be programmed into a button and thus in this regard a

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selection is made regarding the forwarding. Holloway et al. further discloses that when a transmitter is installed, it is programmed with the phone number of the preferred phone. This preferred phone number is then transmitted as part of its signal. Mobile phone 230 is equipped to receive signals in the frequency of the transmitter 220 and is programmed to recognize a signal that is meant for it)(i.e., see **paragraph 0017 and 0021**), the call forwarding message providing an instruction to route future calls destined for the mobile telephone to an alternative communication path (**paragraph 0017**).

Consider **claim 4**, and as **applied to claim 3 above**, Holloway et al., clearly show and disclose a method wherein the alternative communication path is associated with a landline telephone number (i.e., the mobile phone is forwarded to a preferred phone that is tied into the PSTN)(**paragraph 0016**).

Consider **claim 5**, and as **applied to claim 4 above**, Holloway et.al., clearly show and disclose a method wherein the landline telephone number is associated with a landline connection to a landline telephone **130 (figures 1a and 1b)** located within the same residence as the wireless beacon **220 (figure 2)** (i.e., phone 130 can be a phone connected to a wire based system i.e., home phone)(**paragraphs 0014 and 0015**).

Consider **claim 6**, and as **applied to claim 3 above**, Holloway et al., clearly show and disclose a method further comprising re-routing a call originally destined to the mobile telephone **230 (figure 2)** to a landline telephone **240 (figure 2)** using an intermediary telephone switch (i.e., a PBX switch within PSTN)(**paragraphs 0016 and 0017**).

Consider **claim 7**, and as **applied to claim 3 above**, Holloway et.al., clearly show and disclose a method wherein detecting the location of a mobile telephone is based upon

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communication using a wireless data protocol (i.e., Bluetooth is considered to be a short ranged wireless data communications protocol) (**abstract**).

Consider **claim 9**, and **as applied to claim 7 above**, Holloway et.al., clearly show and disclose a method wherein the wireless data protocol is compliant with the Bluetooth standard (**Abstract, paragraph 0019**)

Consider **claim 10**, and **as applied to claim 3 above**, Holloway et.al., clearly show and disclose a method wherein the call forwarding message is communicated to the wide area switch using a wireless data message protocol (i.e., a GSM protocol)(**paragraph 0020**)

Consider **claim 11**, and **as applied to claim 10 above**, Holloway et.al., disclose a method wherein the wireless data message protocol is the Short Messaging Service(SMS) protocol(i.e., the method can be used with phones which comply with the standards set by GSM. Considering that the embodiments are using GSM phones it is inherent that the SMS can be utilized since SMS was created as part of the GSM phase 1 standard)(**paragraph 0020**)

Consider **claim 12**, and **as applied to claim 10 above**, Holloway et.al., clearly show and disclose a method wherein the wireless data message is sent on a packet channel utilizing a protocol selected from the group consisting of GSM, General packet Radio Service (GPRS), Universal Mobile Telecommunication System (UMTS), and CDMA(**paragraph 0020**) (i.e., The method can be used with phones which comply with the standards set by GSM, as well as non-GSM phones).

Consider **claim 13**, Holloway et al., clearly show and disclose a method of routing a call request (**paragraph 0016**), the method comprising the steps of: receiving at a wireless mobile communication device **230 (figure 2)** and identifier from a source **220 (figure 5)** over a first

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wireless connection (i.e., Bluetooth Personal Area Network (PAN)); and communicating to a wireless switch **210 (figure 4)**, when the identifier comprises a recognized identifier (i.e., mobile phone 230 is equipped to receive signals in the frequency of the transmitter 220 and is programmed to recognize a signal meant for it)(**paragraph 0017**), a request to forward voice communications to the wireless mobile communication device **230** to an alternate communication device **240 (figure 2)** other than the wireless communication device **230** in response to receiving the identifier (**paragraph 0014-paragraph 0016, figure 3, and figure 6**).

Consider **claim 14**, and as applied to **claim 13 above**, Holloway et.al., clearly show and disclose a method comprising receiving a wireless communication over a second wireless connection (i.e., GSM radio link) (**paragraph 0017**) having a different protocol (i.e., Bluetooth protocols) different than the first wireless connection (i.e., Bluetooth PAN)(**Paragraphs 0017,0019, and 0020**).

Consider **claim 15**, and as applied to **claim 13 above**, Holloway et.al., clearly show and disclose a method wherein the wireless mobile communication device **230 (figure 2)** is a cellular phone and wherein the request to forward voice communication is issued automatically (i.e., automatic forwarding without user intervention)(**abstract**).

Consider **claim 17**, and as applied to **claim 13 above**, Holloway et.al., disclose a method wherein the mobile communication device includes a transmitter that utilizes Short Messaging Service(SMS)(i.e., the method can be used with phones which comply with the standards set by GSM. Considering that the embodiments are using GSM it is inherent that the SMS is utilized since SMS was created as part of the GSM phase 1 standard)(**paragraph 0020**)

Consider **claim 20**, and as applied to **claim 13 above**, Holloway et.al., clearly show and disclose a method wherein the mobile communication device **230** receives the identifier using a Bluetooth receiver (**paragraph 0019**).

Consider **claim 21**, and as applied to **claim 13 above**, Holloway et.al., clearly show and disclose a method wherein the source is proximal to the wireless mobile communication device **230** (**abstract and figure 2**).

Consider **claim 22**, and as applied to **claim 13 above**, Holloway et.al., clearly show and disclose a method further comprising the step of determining to withdraw the request to forward voice communication requests (**figure 6 and paragraph 0020**).

Consider **claim 23**, and as applied to **claim 22 above**, Holloway et.al., clearly show and disclose a method wherein the request is withdrawn when the mobile device no longer receives the identifier (**figure 6 and paragraph 0020**).

Consider **claim 24**, and as applied to **claim 22 above**, Holloway et.al., clearly show and disclose a method wherein the request is withdrawn in response to a user action (**paragraph 0021**).

Consider **claim 25**, and as applied to **claim 24 above**, Holloway et.al., clearly show and disclose a method wherein the user action is a key sequence (**paragraph 0021**).

Consider **claim 27**, Holloway et al., clearly claim and disclose a system comprising: a wireless communication device **230** (**figure 2**) comprising a first receiver (i.e., first circuitry) to facilitate telephone conversation using a first wireless protocol (**claim 1 and claim 2**); second receiver (i.e., second circuitry) to facilitate monitoring wireless information using a second protocol wireless protocol (**claim 1 and claim 3**) and a communications interface (i.e., within the

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mobile phone) comprising: a first control module (i.e., third circuitry) to provide request to forward an incoming communication request to an alternate communication device , wherein the alternate communication device is proximal to the transmitter (**claims 1,4, and 5**); and a second control module to provide a request to provide communication requests to the wireless communication device(**claims 1,4, and 5**).

Consider **claim 28**, and **as applied to claim 27 above**, Holloway et al., clearly show and disclose a system wherein the transmitter transmits an identifier using a second wireless protocol (**paragraph 0019 and 0020**).

Consider **claim 29**, and **as applied to claim 28 above**, Holloway et al., clearly show and disclose a system wherein the transmitter has a limited area range (paragraph 0020)(i.e., 10 to 100 meters depending on the strength of the signal)

Consider **claim 30**, and **as applied to claim 27 above**, Holloway et.al., clearly show and disclose a system wherein the wireless communication device **230 (figure 2)** is accessible by a specific phone number (**abstract**).

Consider **claim 31**, and **as applied to claim 27 above**, Holloway et.al., clearly show and disclose a system wherein the first control module (i.e., first circuitry) utilizes a short message service standard to provide the request (i.e., the method can be used with phones which comply with the standards set by GSM. Considering that the embodiments are using GSM it is inherent that the SMS is utilized since SMS was created as part of the GSM phase 1 standard)(**paragraph 0020**).

Consider **claim 32**, Holloway et al., clearly show and disclose a system comprising: a wireless telephone **230 (figure 2)** configured to communicate using a wide area wireless protocol

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(i.e., a GSM protocol) (**paragraph 0020**) and configured to communicate using a proximal wireless protocol (i.e., a Bluetooth protocol)(**paragraph 0019**), the wireless telephone including a call forward module (i.e., the third circuitry) (**Claim 1**) and including a cancel call forward module (i.e., transmitter 220 and mobile phone 230); and a wireless beacon device (i.e., the preferred phone transmitter 220) (**figure 2**) associated with a wireline telephone 240(i.e., the preferred phone) and configured to communicate with the wireless telephone using a proximal wireless protocol (i.e., Bluetooth protocol) when the wireless telephone is within a wireless beacon coverage area (**paragraphs 0015 and 0016**), the call forward module of the wireless telephone configured to selectively send a call forward message using the wide area wireless protocol when the wireless telephone is within the wireless beacon coverage area and when the wireless beacon device is recognized by the wireless telephone (i.e., the ability to override the transfer of calls can be programmed into a button and thus in this regard a selection is made regarding the forwarding. Holloway et al. further discloses that when a transmitter is installed, it is programmed with the phone number of the preferred phone. This preferred phone number is then transmitted as part of its signal. Mobile phone 230 is equipped to receive signals in the frequency of the transmitter 220 and is programmed to recognize a signal that is meant for it)(i.e., see **paragraph 0016, 0017 and 0021**), the call forward module message directing calls that address the wireless telephone be redirected to the wireline telephone (**paragraph 0016 and 0017**).

Consider **claim 33**, and as applied to **claim 27** above, Holloway et al., clearly show and disclose a system wherein the cancel call forward module (i.e., transmitter 220 and mobile phone 230) (**figure 2**) is configured to send a cancel call forward message using a wide area wireless

protocol after detecting that the wireless telephone has moved outside the wireless beacon (i.e., transmitter 220)(**figure 2**) coverage area.

Consider **claim 34**, and as applied to **claim 32** above, Holloway et.al., clearly show and disclose a system further comprising a second wireless telephone 540 (**figure 5**) configured to communicate with a proximal wireless protocol (i.e., Bluetooth protocol), the second wireless telephone 540 configured to send a second call forward message after detecting that a second wireless telephone has entered the coverage area (**figure 5, paragraphs 0019 – 0022**).

Consider **claim 36**, Holloway et al., clearly discloses a wireless beacon 220 (**figure 2**) comprising: a transmitter configured to provide a wireless beacon coverage area (**figure 2, paragraphs 0016 and 0017**); and a wireless communication interface configured to provide a unique identification to the wireless mobile device located within the wireless beacon coverage area (**paragraph 0020**), the unique identification allowing the wireless mobile device 230 (**figure 2**) to selectively associate an alternate network destination address for the receipt of external communication while the wireless mobile device is within the wireless beacon coverage area and when the unique identification matches an expected value(i.e., the ability to override the transfer of calls can be programmed into a button and thus in this regard a selection is made regarding the forwarding. Holloway et al. further discloses that when a transmitter is installed, it is programmed with the phone number of the preferred phone. This preferred phone number is then transmitted as part of its signal. Mobile phone 230 is equipped to receive signals in the frequency of the transmitter 220 and is programmed to recognize a signal that is meant for it. Holloway et al. also discloses in paragraph 0022 that a single transmitter can be programmed to

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recognize different mobile phones associated with it and to transfer each mobile phone to a different extension)(i.e., see **paragraph 0017,0019, 0021, 0022, and 0029**).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims **8,16,18,19,35** rejected under 35 U.S.C. 103(a) as being unpatentable over **Holloway et al. (US Patent Pub. No. 2003/009451 A1)** in view of well known prior art (**MPEP 2144.03**).

Consider **claim 8** and as **applied to claim 7 above**, Holloway et al. disclose that the invention can be implemented using various protocols (paragraph 0016). However, Holloway et al. does not specifically disclose that the invention uses a data protocol that is 802.11 std. compliant.

Nonetheless, the Examiner takes Official Notice of the fact that it is notoriously well known in the art that IEEE 802.11 are well known standards that are applied to a wireless interface. Therefore, as suggested by Holloway et al., it would have been obvious to a person of ordinary skill in the art at the time the invention was made to operate the teachings of Holloway et al. for a 802.11 compliant protocol. Since these standards are well know in the art and with the teachings of Holloway et al. the range, bandwidth, throughput, and latency of the device can be modified accordingly to improve the performance of the system as a whole.

Consider **claim 16** and **as applied to claim 13 above**, Holloway et al. disclose that the invention can be implemented using various protocols (**paragraph 0016**). However, Holloway et al. does not specifically disclose that the invention uses a data protocol that is 802.11 std. compliant.

Nonetheless, the Examiner takes Official Notice of the fact that it is notoriously well known in the art that IEEE 802.11 is well known standards that are applied to a wireless interface. Therefore, as suggested by Holloway et al., it would have been obvious to a person of ordinary skill in the art at the time the invention was made to operate the teachings of Holloway et al. for a 802.11 compliant protocol. Since these standards are well know in the art and with the teachings of Holloway et al. the range, bandwidth, throughput, and latency of the device can be modified accordingly to improve the performance of the system as a whole.

Consider **claim 18** and **as applied to claim 13 above**, Holloway et al. disclose that the invention can be implemented using various protocols (**paragraph 0016**) and non-GSM phones (**paragraph 0020**). However, Holloway et al. does not specifically disclose that the transmitter utilizes Universal Mobile telecommunication System.

Nonetheless, the Examiner takes Official Notice of the fact that it is notoriously well known in the art that Universal Mobile telecommunication System is well known standards that are applied to a wireless interface. Therefore, as suggested by Holloway et al., it would have been obvious to a person of ordinary skill in the art at the time the invention was made to operate the teachings of Holloway et al. for a Universal Mobile telecommunication System. Since these standards are well know in the art and with the teachings of Holloway et al. the range, bandwidth, throughput, and latency of the device can be modified accordingly to improve the performance of the system as a whole.

Consider **claim 19** and **as applied to claim 13 above**, Holloway et al. disclose that the invention can be implemented using various protocols (**paragraph 0016**) and non-GSM phones (**paragraph 0020**). However, Holloway et al. does not specifically disclose that the device utilizes General Packet Radio Service.

Nonetheless, the Examiner takes Official Notice of the fact that it is notoriously well known in the art that General Packet Radio Service is well known standards that are applied to a wireless interface. Therefore, as suggested by Holloway et al., it would have been obvious to a person of ordinary skill in the art at the time the invention was made to operate the teachings of Holloway et al. for a General Packet Radio Service. Since these standards are well know in the art and with the teachings of Holloway et al. the range, bandwidth, throughput, and latency of the device can be modified accordingly to improve the performance of the system as a whole.

Consider **claim 35** and **as applied claim 32 above**, Holloway et al., clearly show and disclose a system comprising: a wireless telephone 230 (**figure 2**) configured to communicate using a wide area wireless protocol (i.e., a GSM protocol) (**paragraph 0020**) and configured to

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communicate using a proximal wireless protocol (i.e., a Bluetooth protocol)(**paragraph 0019**), the wireless telephone including a call forward module (i.e., the third circuitry) (**Claim 1**) and including a cancel call forward module (i.e., transmitter 220 and mobile phone 230); and a wireless beacon device (i.e., the preferred phone transmitter **220**) (**figure 2**) associated with a wireline telephone **240**(i.e., the preferred phone) and configured to communicate with the wireless telephone using a proximal wireless protocol (i.e., Bluetooth protocol) when the wireless telephone is within a wireless beacon coverage area (**paragraphs 0015 and 0016**), the call forward module of the wireless telephone configured to send a call forward message using the wide area wireless protocol when the wireless telephone is within the wireless beacon coverage area (**paragraph 0016 and 0017**), the call forward module message directing calls that address the wireless telephone be redirected to the wireline telephone (**paragraph 0016 and 0017**).

However Holloway et al., does not specifically disclose a system further comprising a second wireless beacon associated with a second wireline telephone and configured to communicate with the wireless telephone using the proximal wireless protocol when the wireless telephone is within a second wireless beacon coverage area, the call forward module of the wireless telephone configured to send a second call forward message using the wide area wireless protocol when the wireless telephone is within the second coverage area , the second call forward message directing calls that address the wireless telephone be directed to the second wireline telephone.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to insert a second wireless beacon associated with a second wireline telephone.

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Applicant has not disclosed that inserting a second wireless beacon associated with a second wireline telephone provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with one wireless beacon per wireline phone because each wireless beacon performs the same function independently.

Therefore it would have been obvious to one of ordinary skill in the art to modify Holloway et al. to obtain the invention as specified in the claim 35

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Holloway et al. (US Patent Pub. No. 2003/009451 A1)** in view of **Bosik et al. (U.S. Patent #6,856,806 B1)**

Consider **claim 26** and as **applied to claim 24 above**, Holloway et al., clearly show and disclose a method wherein the request is withdrawn in response to a user action (**paragraph 0021**).

However, Holloway et al., does not specifically disclose the method wherein the user action is a voice request.

In the same field of endeavor Bosik et al., clearly disclose a method wherein the user action (i.e., responding to voice prompt with a 'yes' or 'no') is a voice request. (**column 5 – column 6 line 30 and figure 7**).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the user action with a voice prompt as taught by Bosik et al., in order to increase the functionality of the phone.

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Holloway et al. (US Patent Pub. No. 2003/009451 A1)** in view of **Chow et al. (U.S. Patent #6,574,470)**

Consider **claim 37 and as applied to claim 36 above**, Holloway et.al., clearly discloses a wireless beacon **220 (figure 2)** comprising: a transmitter configured to provide a wireless beacon coverage area (**figure 2, paragraphs 0016 and 0017**); and a wireless communication interface configured to provide a unique identification to the wireless mobile device located within the wireless beacon coverage area (**paragraph 0020**), the unique identification allowing the wireless mobile device **230 (figure 2)** to associate an alternate network destination address for the receipt of external communication while the wireless mobile device is within the wireless beacon coverage area (**paragraphs 0019 and 0020**).

However, Holloway et al. does not disclose the unique identification is represented by a color code.

In the same field of endeavor, Chow et al., discloses a Digital verification color code to identify when a requested mobile unit is one a particular traffic channel (i.e., on the channel identified by the wireless beacon)(**column 37 lines 55-60**).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention to include a color code as taught by Chow et al. for the purpose of verifying the identity of a wireless device within the proximity. Adding the digital color code to the invention would have been useful in providing an additional layer of security.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Shedrick whose telephone number is (571)-272-8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid Lester can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Shedrick



NICK CORSARO
PRIMARY EXAMINER